

Town of Lake Park

SPECIAL MAGISTRATE HEARING AGENDA

AUGUST 5, 2013

10:00 A.M.

Town Hall Commission Chambers

535 Park Avenue

Lake Park, Florida 33403



PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Special Magistrate with respect to any matter considered at this Hearing, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the Hearing should contact the Town Clerk's Office by calling 561-881-3311 at least 48 hours in advance in order to request accommodations.*

REQUESTS FOR FINE REDUCTION

APPLICATION NO. 1 (Case NO. 04-0981 and 07040022)

CASE NO. 04-0981

KAREN L. SCHWENCKE/EKKIE DEJONG

LOCATION: 952 NORTHLAKE BOULEVARD - PCN: 36-43-42-20-04-131-0041

LEGAL: LAKE PARK ADD NO 2 NLY 18.09 FT OF ELY 8.06 FT OF LT 4, LT 5 (LESS SLY 121.92 FT OF WLY 54.32 FT) & NELY 100.14 FT OF EL

ORIGINAL SM HEARING DATE:

OCTOBER 7, 2004

CODE SECTIONS VIOLATED:

32-146(H)(11); 32-147(e)(1); 16-2

ORDERED COMPLIANCE DATE:

OCTOBER 21, 2004

AFFIDAVIT OF COMPLIANCE ISSUED:

NOVEMBER 19, 2004

\$250.00 PER DAY FINE x 29 DAYS = \$7,250.00 PLUS INTEREST (\$4,834.51)

TOTAL FINES + INTEREST = \$12,084.51

CASE NO. 07040022

NAIMA ENTERPRISES, INC. /EKKIE DEJONG

LOCATION: 952 NORTHLAKE BOULEVARD - PCN: 36-43-42-20-04-131-0041

LEGAL: LAKE PARK ADD NO 2 NLY 18.09 FT OF ELY 8.06 FT OF LT 4, LT 5 (LESS SLY 121.92 FT OF WLY 54.32 FT) & NELY 100.14 FT OF EL

ORIGINAL SM HEARING DATE:

JUNE 7, 2007

CODE SECTIONS VIOLATED:

10-31 and 78-254

ORDERED COMPLIANCE DATE:

JUNE 21, 2007

AFFIDAVIT OF COMPLIANCE ISSUED:

APRIL 29, 2008

\$250.00 PER DAY FINE x 313 DAYS = \$78,250.00 PLUS INTEREST (\$34,546.30)

TOTAL FINES + INTEREST = \$112,796.30

**GRAND TOTAL for 952 Northlake Boulevard for
Case No. 04-0981 and 07040022 = \$ 124,880.81**

APPLICATION NO. 2 (Case NO. 04-00836, 07010012, 08090103, and 11030017)

CASE NO. 04-00836

TRI-CITY WOODWORKS, INC./PNC BANK NATIONAL ASSN.

LOCATION: **202 OLD DIXIE HIGHWAY** - PCN: 36-43-42-20-07-002-0010

LEGAL: TRI-CITY INDUSTRIAL PARK LT 1 (LESS E 15 FT OLD DIXIE HWY R/W) BLK B & 20-42-43, N 257.95 FT OF S 431

ORIGINAL SM HEARING DATE:

SEPTEMBER 16, 2004

CODE SECTIONS VIOLATED:

32-146(f); 32-52((1)(e);
32-147(e)(13) and 16-2(2)

ORDERED COMPLIANCE DATE:

JULY 1, 2005

EXTENSION OF TIME GRANTED UNTIL:

JULY 1, 2006

AFFIDAVIT OF COMPLIANCE ISSUED:

APRIL 29, 2008

\$250.00 PER DAY FINE x 605 DAYS = \$151,250.00 PLUS INTEREST (\$79,268.46)

TOTAL FINES + INTEREST = \$230,518.46

CASE NO. 07010012

TRI-CITY WOODWORKS, INC./PNC BANK NATIONAL ASSN.

LOCATION: **202 OLD DIXIE HIGHWAY** - PCN: 36-43-42-20-07-002-0010

LEGAL: TRI-CITY INDUSTRIAL PARK LT 1 (LESS E 15 FT OLD DIXIE HWY R/W) BLK B & 20-42-43, N 257.95 FT OF S 431

ORIGINAL SM HEARING DATE:

MARCH 1, 2007

CODE SECTION VIOLATED:

78-115

ORDERED COMPLIANCE DATE:

MAY 2, 2007

AFFIDAVIT OF COMPLIANCE ISSUED:

MAY 22, 2007

\$150.00 PER DAY FINE x 20 DAYS = \$3,000.00 PLUS INTEREST (\$1,369.67)

TOTAL FINES + INTEREST = \$4,369.67

CASE NO. 08090103

TRI-CITY WOODWORKS, INC./PNC BANK NATIONAL ASSN.

LOCATION: **202 OLD DIXIE HIGHWAY** - PCN: 36-43-42-20-07-002-0010

LEGAL: TRI-CITY INDUSTRIAL PARK LT 1 (LESS E 15 FT OLD DIXIE HWY R/W) BLK B & 20-42-43, N 257.95 FT OF S 431

ORIGINAL SM HEARING DATE:

NOVEMBER 6, 2008

CODE SECTION VIOLATED:

24-74

ORDERED COMPLIANCE DATE:

NOVEMBER 6, 2008

AFFIDAVIT OF COMPLIANCE ISSUED:

SEPTEMBER 26, 2009

\$250.00 PER DAY FINE x 326 DAYS = \$81,500.00 PLUS INTEREST (\$23,651.19)

TOTAL FINES + INTEREST = \$105,151.19

CASE NO. 11030017

TRI-CITY WOODWORKS, INC./PNC BANK NATIONAL ASSN.

LOCATION: **202 OLD DIXIE HIGHWAY** - PCN: 36-43-42-20-07-002-0010

LEGAL: TRI-CITY INDUSTRIAL PARK LT 1 (LESS E 15 FT OLD DIXIE HWY R/W) BLK B & 20-42-43, N 257.95 FT
OF S 431

ORIGINAL SM HEARING DATE:

JULY 7, 2011

CODE SECTIONS VIOLATED:

68-5; 16-10 and 78-35

ORDERED COMPLIANCE DATE:

JULY 21, 2011

AFFIDAVIT OF COMPLIANCE ISSUED:

JUNE 27, 2012

\$150.00 PER DAY, PER VIOLATION FINE x 341 DAYS = \$153,450.00 PLUS INTEREST (\$15,295.61)

TOTAL FINES + INTEREST = \$168,745.61

**GRAND TOTAL for 202 Old Dixie Highway for
Case No. 04-00836, 07010012, 08090103, and 11030017 = \$ 508,784.93**



Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

**SPECIAL MAGISTRATE
HEARING AGENDA
August 5, 2013 10:00 AM**

PLEASE TAKE NOTE AND BE ADVISED that if any interested person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, such interested person may need a verbatim record of the proceedings made, including the testimony and evidence presented at this Hearing.

CALL TO ORDER

SWEARING IN OF ALL WITNESSES

QUASI-JUDICIAL PROCEEDINGS

The Special Magistrate shall have the jurisdiction and authority to hear and decide alleged violations of the Codes and Ordinances enacted by the Town of Lake Park.

Category: NEW CASES

Case No.	Date Issue	Req'd Action
13050011	5/10/2013	

Owner	Address	Site Address
NELSON ROBERT B	423 DATE PALM DR Lake Park, FL 33403	423 DATE PALM Dr Lake Park, FL 33403

Description

R-1 PROHIBITED LAND USE

Violations

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 78 ZONING*	Sec. 78-64	R-1 residence districts. Within R-1 residence districts, the following regulations shall apply: (1) Uses permitted. Within any R-1 residence district, no building, structure or land shall be used and no building shall be erected, structurally al...	10

Case History

Hearing Date	NOV Status	Action Taken	Final Disposition	Notes
6/6/2013	Open			

Case No.	Date Issue	Req'd Action
13070004	7/2/2013	

Owner	Address	Site Address
CITIFINANCIAL SERVICES, INC.CHAMBERS GARDNER JR	847 HAWTHORNE DR WEST PALM BEACH, FL 33403	847 Hawthorne Dr Lake Park, FL 33403

Description

OVERGROWN PROPERTY AND NO VACANT PROPERTY BANK REGISTRATION

Violations

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 16 OFFENSES*	Sec. 16-10	Property Maintenance. (a) It shall be unlawful for the owner, occupant, lessee, or person in control of any land including the swales, sidewalks, driveways, alleys, driveway aprons, or curbs, which abut, or are adjacent or contiguous to the proper...	10
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-154	Registration of Abandoned Real Property. Applicability. This division shall be applicable to all residential zoned properties within the town and shall be considered to be cumulative and not exclusive in terms of any enforcement actions undertaken ...	14
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-155	Maintenance Requirements. (a)In addition to the requirements of this division, properties subject to the provisions of this division shall be maintained in accordance with the town's relevant nuisance, minimum housing, landscaping, building, and ot...	14
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-156	Security Requirements. (a) Residential buildings subject to this division shall be maintained in a secure manner so as not to be accessible to unauthorized persons. (b) A "secure manner" shall include, but not be limited to, the closure and loc...	14

Case History

Case No.	Date Issue	Req'd Action
13010042	1/31/2013	

Owner	Address	Site Address
310 LAKE PARK LLC	7090 SE BAY HILL DRIVE STUART, FL 34997	310 FEDERAL Hwy Lake Park, FL 33403

Description

REQUIREMENTS OF THE PLANNING & ZONING CONDITIONS FOR PERMIT # 11-000524 HAVE NOT BEEN MET

Violations

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 24 SOLID WASTE*	Sec. 24-76	Container storage/screening. (a) Prohibited locations. (1) Generally. Dumpsters shall not be located within the right-of-way of a public street or alley. (2) Special exception: For buildings constructed prior to adoption of the ordinan...	15
Chapter 70 SIGNS*	Sec. 70-104	(a) Regulations applicable to nonconforming signs. Nonconforming signs	60

shall be subject to the building and structural nonconformity provisions of the land development regulations and the provisions of this Code.

(b)
Replacement of nonconformin...

Chapter 78 ZONING*	Sec. 78-253	Minimum landscape requirements. (a) Nonresidential districts. (1) In nonresidential districts, no more than 40 percent of the total landscape area shall be covered with sod (grass), except those projects proposing playgrounds, ballfields, gol...	60
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Case History

Case No.	Date Issue	Req'd Action
13070002	7/2/2013	

Owner	Address	Site Address
WATERTOWER BUSINESS PARK LLC	2801 PGA BLVD STE 220 PALM BEACH GARDENS, FL 33410	No Address

Description

OVERGROWN VACANT LOT

Violations

Ordinance/Regulation	Section	Description	Days to Comply
Chapter 16 OFFENSES*	Sec. 16-10	Property Maintenance. (a) It shall be unlawful for the owner, occupant, lessee, or person in control of any land including the swales, sidewalks, driveways, alleys, driveway aprons, or curbs, which abut, or are adjacent or contiguous to the proper...	7

Case History

Total **NEW CASES** **4**

Total Hearing **4**